ISSUANCES
of the
Meat and Poultry Inspection Program

June 1978

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UNITED STATES DEPARTMENT OF AGRICULTURE
Food Safety and Quality Service
Meat and Poultry Inspection Program
Washington, D.C. 20250

UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND QUALITY SERVICE
MEAT AND POULTRY INSPECTION PROGRAM
WASHINGTON, D.C. 20250

Meat and Poultry Inspection Manual

June 1978 **CHANGE:** 78-6

MAINTENANCE INSTRUCTIONS

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Bulletins Cancelled

Changes on page 207 cancel MPI Bulletin 77-5.

Changes on page 294a cancel MPI Bulletin 77-115.

June 15, 1978

ASSAULT

Subpart 5-B

5.5 REPORTABLE INCIDENTS

Inspectors shall report to their immediate supervisor all actions by plant operators or their representatives involving possible violations causing, attempting to cause, or threatening body injury.

Reportable incidents occurring either while the inspector is on official duty or as a result of such duty when he is in a nonduty status include verbal attacks, property damage, and any other action done to intimidate the inspector or interfere with his duty performance.

A series of minor offenses appearing to deliberately interfere with inspector's duties are to be reported.

When an inspector is injured and unable to notify his immediate supervisor, a fellow employee should do so. Inspector and supervisor reporting responsibilities are outlined in * APHIS Directive 460.4 dated January 9, * 1976.

VIOLATIONS

Subpart 5-C

(Regs: M-305; P-Subpart E)

5.8 REPORT OF VIOLATIONS

The inspector shall report (by memorandum) all violations of the FMIA and of the PPIA through immediate and regional supervisors to the officer in charge, Compliance Division, according to MPI Directive 922.1. If urgent, reports shall be made by telephone. * *

Alleged, suspected, and apparent violations shall be reported.

Violation reports shall include a brief statement of known facts--names, addresses, dates, circumstances showing intent or knowledge of wrong, or any other pertinent information.

Noncompliance or apparent irregularities of the 1946 Agricultural Marketing Act shall be reported in the same manner.

PART 6

ASSIGNMENT AND AUTHORITIES OF PROGRAM EMPLOYEES

ASSIGNMENT

Subpart 6-A

(Regs: M-306; P-Subpart F)

6.1 OPERATIONS AFFECTING INSPECTION

The inspector shall notify his immediate supervisor of any operation affecting inspection in the plant where assigned.

6.2 LOW VOLUME PLANT

Staffing depends upon type of animals slaughtered, availability of inspector, and plant's ability to fulfill its responsibility.

6.3 ADVANCE NOTICE

Management of processing operations shall give advance notice to inspection personnel of activities, approximate volume, and production hours.

6.4 WORK SCHEDULE

Plant management must, in advance and at least during the day preceding the change, notify the inspector in charge of any change in work schedule.

(a) Workday; Overtime

An inspector's workday begins when his service is required according to schedule. His workweek is that approved for the plant and consists of five 8-hour days consecutively, Monday through Saturday (poultry), or Monday through Friday (meat). Any inspection service in excess of the plant schedule is overtime.

(b) Lunch Period

One lunch period--not less than 30 minutes and not more than 1 hour--is the only authorized interruption in the tour of duty once it begins. Such period shall not occur before 4 hours or later than 5 hours from starting time.

Exception. If a rest break of not less than 30 minutes is regularly observed at midpoint between start of work and lunch, lunch period may be scheduled as long as 5 1/2 hours after inspector's tour of duty begins.

When substantial overtime is required for a scheduled workday, a second lunch period should be provided. Lunch period (up to 1 hour) will not count as overtime.

If overtime will be short or if break will be less than 30 minutes, the inspector in charge should not officially recognize a second lunch break. He and inspector will remain in overtime status and the plant will be billed for such overtime.

6.5 "STANDBY" DUTY

When a plant does not operate on a day or part of a day during established workweek, the inspector shall be on "standby" or on approved leave for the established workday hours; therefore, he is in pay status. Even though he is on "standby" time, he

PART 17

LABELING

LABEL APPROVAL; CONTROL

Subpart 17-A

(Regs: M-317, P-Subpart N,P,T)

17.1 APPROVAL

(a) Responsibility

All labels must be approved before use. Plant management is responsible for accuracy of labels used with products.

The inspector should review all labels, indicate his acceptance, and submit them to the inspector in charge for his concurrence and/or approval.

Inspector in charge may contact * PLS through his supervisor for advice on labels offered for his approval.

(b) Application

MP Form 480 is completed by the establishment and submitted with proposed labels to:

* Product Labels and Standards Staff
Benjamin Franklin Station
Post Office Box 7416
Washington, D.C. 20044

The word "labels" should be placed next to the address on the envelope.

* * *

(c) Product Samples

Product samples submitted with proposed labels should be addressed to:

Product Labels and Standards Staff *
STS, MPI, FSQS, USDA
12th and C Streets, SW.
Agriculture Annex Building
Washington, D.C. 20250

Perishable samples should be packed with sufficient refrigerant to last until received. Since USDA mail rooms and local delivery services do not have refrigerated or frozen storage space to hold product over the weekend, perishable samples must be sent early in the week to assure delivery before 4:45 p.m. Friday.

(d) Sample Delivery

For all delivery services, except postal, place a note near the address on each package requesting the carrier to call 202/447-2711 for delivery instructions.

(e) Conditional Approval

When PLS places remarks, modifications, or conditions for use on label approvals, they shall be complied with for use of the label. *

17.2 CONTAINER APPROVAL

(a) Experimental Product

PLS may approve labels for "not for sale" product used experimentally or as samples. *

(b) Meat

Markings. Labeling may consist of a combination of printing, stenciling, box dyes, etc., for large true containers and for shipping containers.

* Crayons are unacceptable for applying required labeling features except for figure indicating content quantity.

(c) Poultry

True shipping containers for poultry and poultry products may be approved by inspector in charge (381.127,134).

(1) Review. The inspector in charge shall review all proposed shipping container labels and shall approve those complying with regulations.

(2) Procedure. Establishment prepares MP Form 480 as prescribed, and submits to inspector in charge in triplicate with labeling material.

Inspector in charge marks "approved," and puts date and his signature in appropriate space on the form and on the label. When MP Form 480 is completed, one copy is returned to plant management, one copy placed in inspector's in charge file, and one
* sent to PLS. Inspector in charge
* should attach a statement to the PLS copy showing all wording appearing on the shipping container.

(3) True or immediate containers. Container labels for bulk, ice-packed poultry, outside containers for institutional packs, and consumer packages shall be sent by plant management to
* PLS for approval.

For practical reasons entire boxes or parcels should not be submitted. Stripped panels, paper takeoffs or photostats will expedite handling.

(d) Display Container (Meat-Poultry)

Empty containers, bearing approved labels including official marks of inspection, may be used for display or advertising purposes without further
* PLS approval.

(e) Kosher Product Containers

Containers used for hearts, livers, and other product or tissues with attached metal tags indicating kosher inspection, must be labeled "kosher tags attached."

17.3 INEDIBLE PRODUCT; APPROVAL

Inspector in charge approves all labels not qualified to bear the official mark of inspection, including "not fit for human food" products.

17.4 INSTITUTIONAL PACK (Poultry)

(a) Box-End Label

A box-end label with all mandatory information and acceptable wording, indicating additives used and their purpose, shall be attached to each box.

(b) String Tag, Metal Clip

When bearing approved wording to indicate additive used and its purpose, the tag or clip must be attached to each piece (carcass or part) contained therein.

(c) Transparent Plastic Bag

When a product is packed in transparent plastic bags, overwrapped tray packs, etc., the special wording must be printed on each unit package or bag with other required information. Product so packed must be in containers of appropriate size to assure reaching the consumer--institution, household, etc.--in fully labeled packages.

(d) STS Approval

All box-end labels, string tags, wing clips, transparent bags, etc., showing above required information, shall be submitted to PLS for approval. *

17.5 CONTROL

(a) Inspector

To assure labeling compliance with regulations and approved product formulation, the inspector should require plant management to have adequate procedural control. However, such procedures must not significantly surpass normal routine controls needed to

Ingredients in excess of authorized allowances
Insufficient ingredients
Manufacturer and/or address unknown
Improper markings on product
Product contains prohibited ingredients.

(2) Contamination:
Contains insects and/or weevils
Contains foreign material
Rodent contamination present
Wormy
Unclean

(3) Objectionable odors, taste, or color:
Excessive odors
Over age
Unstable color
Rancid

(4) Sour, moldy:
Decomposed
Toxic

(5) Unsound canned goods.

(6) Other.

(c) Disposition
Removed from establishment:
Converted into animal feeds
Used in nonfood departments

(1) Returned to supplier.

(2) Destroyed by establishment:
Sewage
Burned
Garbage
Denatured and removed
Tanked

(3) Held for Food and Drug Administration.

(4) Other.

20.16 MP FORM 455
See Chart 20.1.

(a) Completion
The inspector in charge will designate, by assignments, inspectors responsible for making entries on MP Form 455. At least one form will be completed for each plant on the day sanitation inspection is performed. Additional forms may be necessary to properly document sanitary conditions in plants with several inspection assignments or with more than one shift.

In certain operations, the incidence of sanitation deficiencies may be so infrequent that only a few entries are made on the Daily Sanitation Report form. On such assignments, the circuit supervisor may decide to have entries made on the new MP Form 455 for more than 1 day, but not to exceed 1 week. If the form is used in this manner, the following instructions should be followed:

1. Modify the date box to indicate the period of time covered by the report (from-to).
2. Record and date deficiencies in the remarks column at the time they are noted. A date may also be used in place of the "Def" abbreviation under the column headed "Pre-op" and "Oper."
3. Continue to use the abbreviations "NO" and "Ac" (if space permits). However, this element may have to be omitted when the form is modified for weekly use.

The weekly issuance of the MP Form 455 should not occur in plants with a high incidence of sanitation deficiencies that place a demand on the inspector's time. Similarly, entries should not be reduced to fit on one form. The documentation on the MP Form 455 is an important part of the total sanitation program. The timely issuance of these reports serves as an important communication medium to stimulate compliance with sanitation standards, and provide a history of sanitation deficiencies.

As appropriate and corresponding to the items listed under the "General Area" heading, the form's columns will be completed as follows:

1. "Pre-Op" and "Oper." Enter (a) "NO" when for specific reasons--time, unusual problems, reduced operations, etc.--an area is "not observed"; (b)

"Ac" when an observed area is "acceptable"; and (c) "Def" when deficiencies are identified.

2. "Remarks." Enter any pertinent information--specific location and type of deficiency, name of plant personnel notified, etc.

3. "Action Taken." Enter in this column any restrictive or corrective action taken--equipment or area tagged, production downtime (approximate), etc. Each entry shall be preceded by the appropriate general area number and recorded to the right of the corresponding entry in the remarks section.

The inspector should discuss each entry with a responsible plant employee. When this is not done, or when the plant employee disagrees with an entry, the inspector should enter the reason in the "Remarks" section. At least weekly, and more often if necessary, the inspector in charge will discuss special problems and/or patterns of noncompliance with plant management. Results of these discussions will be recorded on or attached to the MP Form 455 for that day.

(b) Plant Improvement Program

Generally, deficiencies noted on MP Form 455 are corrected the same day. However, when they are of a nature requiring more time for completion (i.e., structural changes, equipment repair, etc.), priority must be given to product protection until corrections can be made.

Correction methods and completion dates should be (1) agreed upon by inspector in charge and plant management, (2) confirmed in writing, and (3) a part of the plant's improvement program. Such writeups are to be concise, specific, and include date of agreement and expected completion date. If such a date cannot be agreed upon, the inspector in charge will set one. He will consult with his supervisor before setting a due date, if failure by the establishment to comply will result in a major curtailment of a plant's operation or production. Newly assigned or rotated inspectors in charge must review the plant improvement program with the circuit supervisor before discussing major facility or equipment changes with plant management, or before changing established completion dates.

(c) Distribution, File

The inspector in charge will ask the company representative to sign in the block titled "Received by Establishment Official," who will then receive a copy of the MP Form 455. The original will be filed in the inspector's office for 2 years.

Copies of plant improvement program writeups are to be made available to plant management. All documents concerning a project will be filed at the inspector's office, separate from MP Form 455, for 2 years from project completion.

20.17 MP FORM 460

See Chart 20.1. The inspector observes the following guidelines in completing this form.

1. Number of containers. Number of immediate (primary) containers.

2. Type of container. Use only one of these codes:

a. CYL for cylindrical cans.

b. FLAT for oblong cans with rectangular sides and rectangular or square ends (e.g., pullman hams).

c. PEAR for pear shaped cans.

d. PYDL for pyramidal cans with rectangular ends of two different sizes (e.g., corned beef).

e. GLASS for all glass containers.

Do not mix lots, or use other abbreviations.

3. Country codes. Use the 3 digit codes in Table 27.7.

4. Defect tally. Tally each defect found on original and reinspections of sorted lots in appropriate blocks. Enter totals where required, including zeros.

5. Sampling time. Time spent in marking containers to be sampled and

in supervising stamping them with the 2 1/2 inch rubber import brand. It may be prorated (for several lots) and estimated, if performed by another inspector at a place other than where can examination and form completion are done.

6. Inspection time. Time spent in examining the cans and completing MP Form 460.

20.18 MP FORM 519

See Chart 20.1.

Product. Enter name of product being inspected (beef carcasses).

Product Code. Enter applicable product code (code 001 for beef carcasses).

Lot Number. Determine and enter applicable number. Example: If this is the first lot of beef carcasses examined this date, enter "1" in this block.

Lot Size. Enter number of sides in the lot.

Sampling Plan. With a checkmark, designate type of plan being used (double, single). If double plan, designate with a checkmark in first step column if only first step is necessary. If second step is necessary, checkmark the second step block. If online sampling is used, leave space blank.

Sample Size. Record size of sample examined. If online sampling is used, use an encircled 3 and a separate form for each online lot inspected.

Minor, Major, Critical Defects Columns. Record defects in proper column (minor, major, or critical) under first step only when single sampling plan is used. Record first step defects in first step column on first step of double sampling plan, and second step defects in second step column when second step is necessary in double sampling plan. Rest of form is self-explanatory.

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as shown on shipping containers, and purpose for which the mixture is intended.

(d) NFDM, MSG, Protein, Flour, etc.

When samples of product with nonfat dry milk, monosodium glutamate, isolated soy protein, soy protein concentrate, soy flour, hydrolyzed plant protein, gelatin, etc., are submitted, amount(s) of additive(s) in finished product must be indicated in block 15 of MP Form 22 (rev. October, 1973).

(e) Luncheon-Potted Meat

Since water-protein ratio varies with percent of tripe, tongues, and hearts used in formulas, the inspector must record percentages of such ingredients on MP Form 22 when submitting samples for analysis.

23.5 SHIPPING OF SAMPLES

Exercise extreme care in preparing, packaging, and mailing samples. Samples may be mailed any day, provided postal service is available at time of mailing.

(a) Unsatisfactory samples

When plastic sample containers are broken, torn, or otherwise perforated, the sample is useless for analytical work.

Since decomposed or damaged samples adversely affect the accuracy of analytical results, they will not be analyzed.

Chemists in charge of laboratories will assist inspectors in developing satisfactory mailing procedures by reporting when samples arrive in unsatisfactory condition.

(b) Containers

* Fiber cartons for mailing samples * are stocked at regional offices. An * adequate supply of sample containers * and cartons shall be available at * each plant. When samples do not occupy all the space in a container, * fill with paper or other lightweight * packing material.

(c) Mailing Franks

MP Form 13 must be used for perishable or priority samples. For other * samples, Washington, D.C., personnel * should use AD Form 11-S and field personnel AD Form 414-S. *

When MP Form 13 is used (1) type or print the name and address of the appropriate laboratory on the "priority mail--perishable" side and the return address on the reverse, (2) firmly secure the form to the package, and (3) deposit the package at the local post office, if feasible.

When AD Form 11-S or AD Form 414-S * is used, (1) type or print the name and address of the appropriate laboratory on one form and the return address on another, (2) securely attach both forms to the container, and (3) close and tie the container showing the laboratory address. The mailing address in the * Meat and Poultry Inspection Directory * will be used for all laboratories * except the Special Projects Laboratory.* Samples for this laboratory will be * addressed to: *

Special Projects Laboratory *
USDA, FSQS *
P.O. Box 1980 *
Washington, DC 20013 *

NOTE: Do not send samples by air * express. *

23.6 SPECIAL SAMPLES

When a sample is sent to the laboratory for special purposes, make a notation on the form to that effect, or the form should bear reference to a letter or other communication. If a notation does not appear on the form to indicate special handling, the sample may be given the usual analysis for the class of product.

(a) Reimbursable

Identify each sample submitted under

reimbursable program, (i.e., Food Inspection Service, Certification Service, specification work performed for other governmental agencies, etc.) showing "Reimbursable" on MP Form 22 in block 13.

(b) Federal-State Program

Identify each sample submitted from plants operating under Federal-State Cooperative Program, described in the Wholesome Meat Act, by showing "WMA" in block 13 of MP Form 22. Normally, samples taken under this program are submitted by a State inspector.

(c) Litigation Samples

Litigation samples are collected in anticipation or as a result of lawsuits involving alleged violations of the FMIA and PPIA.

The inspector must:

1. Protect identity and integrity of such samples at all times, by personally transporting them to the laboratory, or by shipping them "Registered" under seal.
2. Keep an adequate reserve sample under seal in case of loss or necessity for subsequent confirmation.
3. Notify the laboratory of shipping and approximate time of sample arrival.

(d) Samples Requested by PLS

Do not send samples submitted at request of PLS on matters handled by that office to chemistry laboratories (see Subpart 17-A).

(e) Vegetable Oil, Animal Fat

To determine whether animal fats have been added to product identified as "vegetable oil," send samples to:

Scientific Services Laboratory
USDA - FSQS - MPI
417 Federal Building
Kansas City, Kansas 66101

When mono- or diglycerides are used, the inspector also submits a 1/4-pound sample of the mono- and/or diglycerides.

The inspector should record on MP Form 22 product formulation, code markings, and the following request: "For animal fat determination - send copy of results to FO - random sample program." He may also sample product at any time when he has reason to doubt product and/or label compliance. MP Form 22 should be completed and addressed as above, except the words "Random Sample Program" should be replaced by "Special Sample."

23.7 RECORDS

Maintain sample records at each plant. Such records should be as shown in Charts 23.1 and 23.2. Product name shall be that shown on the label. For product codes see Part 20, Exhibit A.

When a sample is submitted to the laboratory, enter sample number for each product in appropriate month column. When laboratory results are received, cross through the number on the chart representing that sample if in compliance, encircle if in violation.

(5) Tongue depressors. Sterile tongue depressors for diagnostic microbiology and other specialized sampling purposes. Catalogue No. 11798-006, American Hospital Supply, Evanston, Illinois 60201.

(6) Centrifuge tubes. Sterile, disposable, plastic centrifuge tubes, (50 ml.) available from most local scientific supply companies. Catalogue No. 2070, Falcon Plastics, Division of Becton-Dickinson Laboratories, Inc., 1950 Williams Drive, Oxnard, California 93030.

(7) Shipping containers. Insulated shipping containers are available from regional offices.

(8) Scissors. Sterile scissors set. Catalogue No. 32798-125, American Hospital Supply, Evanston, Illinois 60201.

(9) Scalpels. Sterile disposable scalpels. Catalogue No. 32390-022, American Hospital Supply, Evanston, Illinois 60201.

(d) Procedures

(1) Field sterilization. When sterilized instruments--knives, spoons, scissors, chisels, and other nonexpendable metal items--are not available, use one of the following sterilization methods after instruments are thoroughly washed:

1. Flame sampling end of tools with a propane torch, air cool and protect it from contamination before use. Caution: Excessive heating dulls knives and scissors.
2. Immerse sampling end of tool in sodium hypochlorite solution for 1-2 minutes. Shake excess solution from utensil and protect sampling end from contamination. The solution may be prepared by adding 2 ounces of commercial bleach to a gallon of potable water. Similar solutions are available in many plants.

Note: This is an effective, easily performed procedure and uses equipment available in any plant. A bucket, sampling tools, household bleach, and hand washing facilities provide necessities for online sampling.

3. Immerse sampling end of cleaned tool in 180° F. water for 1 minute. Before use, protect sampling end from contamination.

(2) Size and number of samples. Five to 10 ounces of product (150 to 300 grams or ml.) or consumer-size packages of final product are usually enough for a sample.

Sample size of blood, serum, urine, pus, exudate, spinal fluid, etc., is determined by individual conducting sampling or by consulting with the laboratory. Take samples representative of the product or significant to the suspected disease process. Samples from normal product or animal tissue should be taken and submitted as controls. Number of samples taken for analysis requires some degree of judgment. Significance of findings increases with number analyzed, but laboratory facilities are limited. Therefore, number of samples to be drawn will be designated by appropriate laboratory on all survey programs initiated by STS-SS. FO will designate number of samples to be drawn for control programs initiated by FO. For individual tests initiated in the field, the circuit supervisor will consult with FO.

(3) Product samples. Follow general aseptic procedures described under Sec. 23.11(d)(1).

(4) Online sampling. A plant employee, who ordinarily handles product at a particular point of a processing line, may take samples with his hands instead of using sterile implements. This is an acceptable technique since the worker touches the product anyway. Others must not touch product, container lip, or part of sterile implement that will contact product.

Place sample into a sterile Whirl-Pak bag, fold top of bag several times, close wire end over fold, and freeze sample without delay.

(5) **Diagnostic Samples.** To minimize contamination, take diagnostic microbiological specimens before the histopathological, and immediately freeze them.

(i) Serum. Serum submitted for serological diagnostic studies should be separated from the blood before freezing.

(ii) Synovial fluid. Submit intact joint and surrounding muscle in a poly bag.

(iii) Tissues. Tissue samples from suspected septicemic cases should be approximately 2 x 1 x 1 inches in size. Place each sample in a separate bag. Do not pool samples.

(iv) Gross Lesions. When gross lesions are numerous, submit excised whole lesions or groups thereof for both diagnostic microbiology and pathology. When only one lesion is found, excise entire lesions, cut in half, and submit as above.

(v) Antibiotic residue; species identification. Samples submitted for these purposes need not be taken aseptically, but they should be packed and shipped as described under "preparing and shipping." Freeze tissue samples without delay. Dry or shelf-stable samples may be shipped without refrigeration.

(6) **Unsatisfactory Samples.**

(i) Thawed. Perishable product samples for microbiological or antibiotic residue analysis will not be analyzed if received in a thawed condition and/or in broken bags. Since results would not necessarily reflect original condition of product, analysis of such samples produces data of no value.

(ii) Decomposed. Tissue samples for serological analysis (species identification) will not be analyzed if received in a decomposed condition.

23.12 PACKAGING-SHIPPING SAMPLES

(a) Perishable Product Tissues

Proceed as follows:

1. Obtain a shipping container (Trans-Temp temperature controlled container) from regional office. Freeze temperature controllant canisters for 8-10 hours in a 0° F. to 10° F. freezer. Caution: Do not freeze below -10° F.
2. Sample should not be larger than available space. Freeze perishable materials immediately after sampling.
3. Place both controllant canisters in shipping container and bagged sample between canisters. The space should be completely filled. Use paper to fill space not used by product. If more space is needed, use another shipping container rather than trying to force too much into one.
4. Enclose applicable laboratory sample form in plastic bag.
5. Close and seal container according to printed directions on carton.
6. Affix MP Form 13 and mail immediately to appropriate microbiology laboratory. Use mailing address in the Meat and Poultry Inspection Directory for all microbiology samples. *

(b) Dry Product

Do not freeze dry product--milk, breading mix, eggs, spices, etc. To ship, place unfrozen dry product in suitable, strong container and send to laboratory by regular mail.

tins" are questionable for lack of vacuum, he should check one or more cans with a vacuum gauge, and score a suspected can as defect only if the gauge fails to register any vacuum.

(6) Defect criteria tables. The inspector shall use the defect criteria tables on MP Form 460 to determine acceptance, rejection, and, if requested by importer, acceptability to sort and represent rejected lots.

Lots with all cans included in the sample will be accepted if not more than one critical defect is found.

(7) Defect removal. All defects (critical) shall be removed from samples returned to accepted lots.

* **(8) Swollen cans.** Swollen cans observed during import inspection are indications that part or all of a lot of canned product may be underprocessed or that cans within the lot have experienced some mechanical failures; i.e., improper side seam or rim closures, minute punctures or pinholes in the can bodies, etc. Since the circumstances which prompt these defects are so varied and practically indistinguishable upon a physical examination of the can, the inspector shall:
* a. When swollen cans are identified during import inspection or in the sorted portions of a lot:
* 1. Complete the particular examination in progress; i.e., condition of container, net weight, incubation, etc., record findings, and retain the lot.
* 2. Submit all or a maximum of 12 swollen cans accompanied by six normal appearing cans from each affected production code to the Athens or San Francisco FSQS microbiology laboratory, and comment on MP Form 23 for the laboratory to send copy 2 of the completed form to FPS.
* 3. Inspect subsequent lots of similar product from the same producer, record inspection results, and hold these lots until laboratory analysis of the swollen cans are received.
* 4. Repeat steps 1, 2, and 3 above when swollen cans are identified in subsequent lots.
* 5. Inform brokers of action.
* b. When laboratory analysis indicates that the product was underprocessed:
* 1. Refuse entry to the retained lot of product from which the samples were selected.
* 2. Telephone FPS and request instructions regarding the hold on subsequent lots of similar product from the same producer.
* c. When laboratory analysis indicates that the product was not underprocessed:
* 1. Continue examinations as needed to complete inspection of the retained lot represented by the samples and make disposition according to inspection results; release passed lots.
* 2. Discontinue holding subsequent lots of similar product from the same producer and make dispositions based on inspection results recorded in a 3 above.

(c) Net Weight

Net weight checks on all lots of imported products shall be done as described in Subpart 18-K and recorded on the reverse side of MP Form 460, when applicable, or on MP Form 486.

(d) Vignette, Declared Count

During product examination of canned or packaged product, the inspector will also determine compliance of label vignette, including meat content and count (Subpart 18-L).

(e) Boneless Meat

It shall be examined by using sampling plans and defect criteria listed on MP Form 450. All examinations will be recorded on this form.

The inspector will refer to Part 20 for completion and distribution of

this form, and to Part 18 for applicable instructions on boneless meat reinspection. Such reinspection will be performed also on frozen bulk-packed wholesale cuts, cooked meat, and edible horsemeat. When sampling
*bulk-packed boneless wholesale cuts, the inspector shall select 24-pound sample units, rather than 12-pound units.

27.22 RETURN OF EXPORTED PRODUCT

* **(a) Regulatory Provisions**

* Sections 327.17 and 381.209 of the regulations provide that returned U.S. exported product may enter the United States upon approval of the Administrator or the Deputy Administrator for Meat and Poultry Inspection (MPI).

* At a point of entry (POE) where import inspectors are assigned, the circuit supervisor will discuss the MPI requirements for returned meat and poultry products with U.S. Customs officials assigned to the same POE. At a POE where an import inspector is not assigned, the area supervisor will contact the local U.S. Customs officials and discuss such requirements. Where possible, MPI will offer U.S. Customs assistance; i.e., forms, seals, etc., to secure shipments for movement to locations where MPI personnel are assigned. MP Form 410 shall not be used for returned product.

* **(b) Shipment Examinations**

* Upon notification of a returned shipment, MPI personnel shall examine the product to determine if it has become adulterated or misbranded during transit. Adulterated or misbranded product will be condemned or, if possible, reconditioned under MPI supervision at POE or an official establishment. Product not eligible for free movement shall be transferred under official seal and MP Form 408.

* **(c) PPQ/VS Requirements**

* PPQ/VS clearance must be assured for each shipment before it may be allowed to move away from its POE.

* **(d) Compliance Division**

* Whenever the owner or representative of returned product disagrees with the MPI disposition made on product not in an official establishment, MPI personnel shall request U.S. Customs officials to hold the shipment in question until further notified and will immediately contact the Compliance Division.

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UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND QUALITY SERVICE
MEAT AND POULTRY INSPECTION PROGRAM
WASHINGTON, D.C. 20250

MEAT AND POULTRY INSPECTION REGULATIONS

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99 100	99 100 100a
109 110	109 110

PEN-AND-INK CHANGES:

Meat inspection regulations--

Page 26, § 308.13, 13th line, change the first word "or" to "of"

Page 39, in the heading of § 310.6, change the word "passes" to "passed".

Page 97, in § 318.4(a), delete the quotation mark before the first word.

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papain or bromelin or pancreatic extract to permit the enzymes contained in these substances to act on the casings to make them less resistant. The casings shall be handled in a clean and sanitary manner throughout and the treatment shall be followed by washing and flushing the casings with water sufficiently to effectively remove the substance used and terminate the enzymatic action.

(4) On account of the invariable presence of bone splinters, detached spinal cords shall not be used in the preparation of edible product other than for rendering where they constitute a suitable raw material.

(5) Testicles if handled as an edible product may be shipped from the official establishment as such, but they shall not be used as an ingredient of a meat food product.

(6) Tonsils shall be removed and shall not be used as ingredients of meat food products.

(7) Blood from livestock prepared in accordance with § 310.20 of this subchapter may be used as an ingredient of a meat food product for which a standard is prescribed in Part 319 of this subchapter, if permitted by such standard, and may be used in any meat food product for which no such standard is prescribed in Part 319 of this subchapter if it is a common and usual ingredient of such product.

(8) Intestines shall not be used as ingredients in any meat food product for which a standard is prescribed in Part 319 of this subchapter and shall not be used in other products unless the products are labeled in accordance with § 317.8(b)(30) of this subchapter.

(9) Poultry products and egg products (other than shell eggs) which are intended for use as ingredients of meat food products shall be considered acceptable for such use only when identified as having been inspected and passed for wholesomeness by the Department under the regulations in 7 CFR Part 59 or 9 CFR Part 362 or 381 and when found to be sound and otherwise acceptable when presented for use. Poultry products and egg products (other than shell eggs) which have not been so inspected and passed for wholesomeness shall not be used in the preparation of such meat food products.

(10) Dry milk products which are intended for use as ingredients of meat food products shall be considered acceptable for such use only when produced in a plant approved by the Department under the regulations in 7 CFR Part 58, and when found to be sound and otherwise acceptable when presented for use. Dry milk products prepared in a plant not so approved shall not be used in the preparation of such meat food products.

(11) All isolated soy protein used in products prepared in any official establishment shall contain not more and not less than 0.1 percent titanium incorporated as food grade titanium dioxide and the presence of such substance must be shown on the label of the container of the isolated soy protein at all times that the article is in the official establishment.

(12) Ingredients for use in any product may not bear or contain any pesticide chemical or other residues in excess of levels permitted in § 318.16.

§ 318.7 Approval of substances for use in the preparation of product.

(a) (1) No chemical substance may be used in the preparation of any product unless it is approved in this part or Part 319 of this subchapter or by the Administrator in specific cases.

(2) No product shall bear or contain any substance which would render it adulterated or which is not approved in this part or Part 319 of this subchapter or by the Administrator in specific cases.

* (b) Requirements for the use of nitrite and sodium ascorbate or sodium erythorbate (isoascorbate) in bacon. *
* (1) With respect to bacon: Sodium nitrite shall be used at 120 parts per million (ppm) ingoing or an equivalent amount of potassium nitrite shall be used (148 ppm ingoing); and 550 ppm of sodium ascorbate or sodium erythorbate (isoascorbate) shall be used. Sodium ascorbate or sodium erythorbate have a molecular weight of approximately 198. Hydrated forms of these substances shall be adjusted to attain the equivalent of 550 ppm of sodium ascorbate or sodium erythorbate. *
* (2) The Department shall collect samples of bacon from producing plants and analyze for the level of nitrosamines by the thermal energy analyzer (TEA). In the event that a TEA analysis indicates that a confirmable level of nitrosamines might be present, additional samples will be collected and analyzed by gas chromotography. Presumptive positive results must be confirmed by mass spectrometry before being considered positive. If any one of the samples is found to contain confirmable levels of nitrosamines, all bacon in the producing plant and all future production will be retained. The Department shall sample and analyze such retained bacon for nitrosamines on a lot by lot basis. A lot shall be that bacon produced by the establishment in any single shift. Samples from any lot found to contain nitrosamines at a confirmable level shall cause the lot of bacon to be disposed of in a manner to assure it will not form nitrosamines when cooked. Such disposal may include incorporation of the uncooked bacon as an ingredient of another meat food product provided it is processed for eating without further preparation in a manner to preclude the formation of nitrosamines. The bacon shall no longer be retained if the operator of the establishment makes adjustments in the processing of the product and provides data based on laboratory analyses of samples from five consecutive normal sized lots that establishes that the product being produced contains no confirmable levels of nitrosamines. All tests of bacon for nitrosamines under this subparagraph shall be made on bacon cooked at 340° F. for 3 minutes on each side. In order to determine that no confirmable levels of nitrosamines are present in the sample tested, the testing must be performed by methodology and procedures that would detect the presence of any nitrosamines at 10 ppb at this time and at 5 ppb within 1 year of the effective date of this paragraph. NOTE: Effective date of this paragraph was June 15, 1978. *

(c) Under appropriate declaration as required in Parts 316 and 317 of this subchapter, the following substances may be added to products:

(1) Common salt, approved sugars (sucrose (cane or beet sugar), maple sugar, dextrose, invert sugar, honey, corn syrup solids, corn syrup and glucose syrup), wood smoke, vinegar, flavorings, spices, sodium nitrate, sodium nitrite, potassium nitrate, potassium nitrite, and other substances specified in the chart in subparagraph (4) of this paragraph may be added to products under conditions, if any, specified in this part or in Part 317 of this subchapter.

(2) Other harmless artificial flavorings may be added to products with the approval of the Administrator in specific cases.

(3) Coloring matter and dyes other than those specified in the chart in subparagraph (4) of this paragraph, may be applied to products, mixed with rendered fat, applied to natural and artificial casings, and applied to such casings enclosing products, if approved by the Administrator in specific

cases. When any coloring matter or dye is applied to casings, there shall be no penetration of coloring into the product. When any coloring matter or dye is added to meat fat shortening containing artificial flavoring, the product shall be packed in conventional, round shortening containers having a capacity no greater than 3 pounds.

(4) The substances specified in the following chart are acceptable for use in the preparation of products, provided they are used for the purposes indicated, within the limits of the amounts stated and under other conditions specified in this part and Part 317 of this subchapter. In addition to the substances listed in the following chart, Part 319 of this subchapter specifies other substances that are acceptable in preparing specified products.

The reverse of this page is intended to be blank.

Class of substance	Substance	Purpose	Products	Amount
	Sodium acid pyrophosphate.	To accelerate color fixing.	Frankfurters, wieners, vienna, bologna, garlic bologna, knockwurst, and similar products.	Not to exceed, alone or in combination with other curing accelerators, the following: 8 ozs. in 100 lbs. of the meat, or meat and meat byproducts, content of the formula; nor 0.5 percent in the finished product.
	Sodium ascorbate.	To accelerate color fixing or preserve color during storage.	Cured pork and beef cuts, cured comminuted meat food product.	87.5 ozs. to 100 gals. pickle at 10 percent pump level; 7/8 ozs. to 100 lbs. meat or meat byproduct; 10 percent solution to surfaces of cured cuts prior to packaging. (The use of such solution shall not result in the addition of a significant amount of moisture to the product.)
	Sodium erythorbate.	do	do	do.
	Citric acid or sodium citrate.	do	do	May be used in cured products or in 10 percent solution used to spray surfaces of cured cuts prior to packaging to replace up to 50 percent of the ascorbic acid, erythorbic acid, sodium ascorbate

Class of substance	Substance	Purpose	Products	Amount
				or sodium erythorbate that is used.
* Curing agents.	Sodium or potassium nitrate.	Source of nitrite.	Cured products other than bacon.	7 lbs. to 100 gals. pickle; 3 1/2 ozs. to 100 lbs. meat (dry cure); 2 3/4 ozs. to 100 lbs. chopped meat, except that nitrites may be used in bacon only in accordance with paragraph (b) of this section. *
* * * * *				* * * *
	Sodium or potassium nitrite. (Supplies of sodium nitrite and potassium nitrite and mixtures containing them must be kept securely under the care of a responsible employee of the establishment. The specific nitrite content of such supplies must be known and clearly marked accordingly.)	To fix color.	do	2 lbs. to 100 gals. pickle at 10 percent pump level; 1 oz. to 100 lbs. meat (dry cure); 1/4 oz. to 100 lbs. chopped meat and/or meat byproduct. The use of nitrites, nitrates, or combination shall not result in more than 200 parts per million of nitrite, calculated as sodium nitrite, in finished product.

Pages 24064-24066

[3410-37]

Food Safety and Quality Service

[9 CFR Part 381]

STANDARD FOR TURKEY HAM

Notice of Proposed Rulemaking

AGENCY: Food Safety and Quality Service, USDA.

ACTION: Proposed rule.

SUMMARY: This document proposes a standard for "Turkey Ham." This product which is fabricated from turkey thigh meat has been marketed for a number of years and has gained consumer acceptance for both its organoleptic characteristics and nutritional qualities. As a result, an increasing number of firms are now marketing the product. The provisions of the proposal would preserve the characteristic qualities of turkey hams, and would also require that the product name be qualified by the term "Cured Turkey Thigh Meat" so that consumers would be fully informed that the content of the product was turkey.

DATE: Comments must be received on or before August 31, 1978.

ADDRESSES: Written Comments to: Hearing Clerk, Room 1077, South Agriculture Building, U.S. Department of Agriculture, Washington, D.C. 20250. Oral Comments to: Mr. Irwin Fried, 202-447-6042. See also "Comments" under Supplementary Information.

FOR FURTHER INFORMATION CONTACT:

Mr. Irwin Fried, Acting Director, Product Labels and Standards Staff, Scientific and Technical Services, Meat and Poultry Inspection Program, Food Safety and Quality Service, U.S. Department of Agriculture, Washington, D.C. 20250, 202-447-6042.

SUPPLEMENTARY INFORMATION:

Comments

Interested persons are invited to submit comments concerning this proposal. Written comments must be sent in duplicate to the Hearing Clerk. Comments should bear a reference to the date and page number of this issue of the Federal Register. Any person desiring an opportunity for oral presentation of views must make such request to Mr. Irwin Fried, so that arrangements may be made for such views to be presented. A transcript shall be made of all views orally presented. All comments submitted pursuant to this notice will be made available for public inspection in the Office of the Hearing Clerk during regular hours of business.

Background

Since 1975, the Department has permitted certain cured poultry products fabricated from turkey thigh meat to be labeled as "Turkey Ham" without further qualification. The decision to permit this labeling was based on the view that the term "ham" when prefixed by the species name of an animal refers to the hind limb of that animal. Poultry products are subject to the Poultry Products Inspection Act (21 U.S.C. 451 et seq.) and the poultry products inspection regulations (9 CFR Part 381). The Act and regulations do not define the term "ham"; however, this conclusion concerning the meaning of the term "ham" was based on section 317.8(b)(13) of the Federal meat inspection regulations (9 CFR 317.8(b)(13)) which provides:

> The word "ham," without any prefix indicating the species of animal from which derived, shall be used in labeling only in connection with the hind legs of swine.

This provision implies that the term "ham" when prefixed by the species name of an animal refers to the hind limb of that animal.

Section 4(h) (1) and (3) of the Poultry Products Inspection Act (21 U.S.C. 451(h) (1) and (3)) provide that a poultry product is misbranded "if its labeling is false or misleading in any particular," or "if it is an imitation of another food, unless its label bears, in type of uniform size and prominence, the word 'imitation' and immediately thereafter the name of the food imitated." In this connection, the American Meat Institute (AMI) and the National Pork Producers Council (NPPC) petitioned the Department to amend the Federal meat inspection regulations and the poultry products inspection regulations to restrict the use of the term "ham" to the labeling of meat products prepared from the hind legs of swine. AMI and NPPC assert that the labeling of a turkey product merely as "Turkey Ham" would falsely indicate that the product contains pork, and that a "Turkey Ham" is an imitation of a pork ham.

In their petition, AMI and NPPC described a study of data obtained from

a sample of 400 consumers in four major cities. The study was designed to determine whether the present labeling is likely to mislead consumers about the meaning of "Turkey Ham." Unfortunately, the methodology used in that survey does not permit a rational judgment to be made about consumers' interpretations.

The Department also had a market survey conducted to determine the consumers' understanding of "Turkey Ham." While the results of the survey indicated that the largest group of consumers (40 to 54 percent) understand correctly that the product contained only turkey meat, there is a substantial group of consumers (8 to 19 percent) that believe it to contain some or all pork meat. It appears that the labeling on a "Turkey Ham" would not cause consumers to believe that it contained pork and would not be an imitation of a pork ham if the product name "Turkey Ham" were qualified by the term "Cured Turkey Thigh Meat"; if the word "ham" were the same size, style, and color as the word "turkey"; and if a standard were developed for the product.

Accordingly, it is hereby proposed to require this labeling on the product and to establish a standard for it.

"Turkey Ham" is finding increasing consumer acceptance and has been produced with certain characteristics that consumers have come to expect. Accordingly, in order to assure that these characteristics are present in "Turkey Ham," the Administrator proposes to require the product to be prepared only from boneless turkey thigh meat with the skin and surface fat removed; to require the product to be cured with approved curing agents; to require the finished product weight after cooking to be no more than the original weight of the turkey thigh meat used prior to curing; to permit the product to contain certain cure accelerators, phosphates, smoke flavorings, artificial smoke flavorings, and seasonings; and to permit the product to be smoked.

Since there is a textural difference among whole boneless thighs, chunked thigh meat, and ground thigh meat, it is also proposed to require a product to be labeled as "Chunked and Formed" or "Ground and Formed" if fabricated from chunks of thigh meat or ground thigh meat.

Also, in order to assure that all qualifying statements, i.e., "Cured Turkey Thigh Meat," "Chunked and Formed," and "Ground and Formed" are prominently placed on the labeling with such conspicuousness as to render it likely to be read and understood by consumers, it is proposed to require qualifying statements to be not less than one-half the size of the product name, but in no case less than one-eighth inch in height, and to require that the lettering be in the same style and color and with the same background as the product name.

This action does not address directly the use of nitrites in poultry products. That matter is under active review by the Food and Drug Administration. The provision in the proposed standard prescribing the use of nitrites may be affected by action undertaken in the future by the Food and Drug Administration.

Accordingly, it is proposed to amend the poultry products inspection regulations by adding a new section 381.171 to Subpart P to read as follows:

§ 381.171 Definition and standard for "Turkey Ham."

(a) "Turkey Ham" shall be fabricated from boneless turkey thigh meat with the skin and surface fat removed. The thighs shall be that cut of poultry described in §381.170(b)(5) of this part.

(b) The product may or may not be smoked, and shall be cured using approved curing agents as provided in §381.147(f) of this part. The product may also contain cure accelerators, phosphates, smoke flavorings, artificial smoke flavorings, and seasonings as provided in §381.147(f) of this part.

(c) The finished product weight after cooking shall be no more than the original weight of the turkey thigh meat used prior to curing.

(d) The product name on the label shall show the word "Turkey" in the same size, style, color, and with the same background as the word "Ham," and shall precede and be adjacent to it.

(e) The product name shall be qualified with the statement "Cured Turkey Thigh Meat." If the product is fabricated from chunks of turkey thigh meat, the product name shall be further qualified to indicate that it is "Chunked and Formed." If the product is fabricated from ground turkey thigh meat, the product name shall be further qualified to indicate that it is "Ground and Formed." The qualifying statements shall be not less than one-half the size of the product name, but the letters shall be not less than one-eighth inch in height. The lettering shall be in the same style and color and with the same background as the product name.

NOTE.—The Food Safety and Quality Service has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107.

Done at Washington, D.C., on: May 31, 19768.

ROBERT ANGELOTTI,
Administrator,
Food Safety and Quality Service.

[FR Doc. 78-15498 Filed 6-1-78; 8:45 am]

MEAT AND POULTRY INSPECTION (MPI) PUBLICATIONS

Issuances of the Meat and Poultry Inspection Program. This publication is published monthly by the Issuance Coordination Staff, and includes selected CFR amendments, MPI bulletins, and MPI directives; changes to the Meat and Poultry Inspection Manual; and changes to the Meat and Poultry Inspection Regulations. Subscription for 1 year (12 issues) is $13.00 in U.S. and possessions, and $16.25 in other countries; cost of one copy is $1.25 in U.S. and possessions and $1.75 in other countries.

Meat and Poultry Inspection Manual. This manual contains procedural guidelines and instructions useful in enforcing laws and regulations related to Federal meat and poultry inspection. Copy of the publication and changes since its printing: $16.50 in U.S. and possessions, and $20.75 in other countries.

Meat and Poultry Inspection Regulations. This publication contains regulations for slaughter and processing of livestock, poultry, as well as for certain voluntary services and humane slaughter. Copy of the publication and changes since its printing: $30.00 in U.S. and possessions, and $37.50 in other countries.

Meat and Poultry Inspection Directory. This directory is published semiannually. Subscription for 1 year (two issues) is $7.60 in U.S. and possessions, and $9.50 in other countries; cost of one copy is $3.80 in U.S. and possessions, and $4.75 in other countries.

List of Chemical Compounds. Lists nonfood compounds authorized for use in plants operating under USDA Meat and Poultry, Rabbit and Egg Products Inspection Programs, and the U.S. Department of Commerce, Fishery Products Inspection Program. Cost of one copy is $4.00 in U.S. and possessions, and $5.00 in other countries.

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